THE MIDSUMMER CLEARANCE SALE

SPECIALS FOR THURSDAY

26 Navy Blue Silk Gloria Umbrellas, \$1.25 and \$1.50 fuil. Dotted Mull, \$3.75 has been the price, Thursday \$1.89 SILKS-Wash Chinas, White, 23 inches

wide, worth 50c yard, at 27 inches wide, worth 75e 36 inches wide, the \$1 quality at

Good assortment of figures in a 32-inch, Fancy Crepe that we retail at 25c yard, go in the Thursday sale at, yard ... 12 1-2e

L. S. Ayres & Co.

D. H. BALDWIN & CO.

PIANOS at low prices for cash. PIANOS on long payments. PIANOS for rent at lowest

PIANOS tuned by first-class workmen. PIANOS repaired on short no-

PIANOS moved with care. PIANOS packed and shipped. PIANOS stored with insurance. PIANOS for concerts and entertainments.

PIANOS at prices to suit every-

D. II. DUID HILL OF OO! 95, 97 and 99 North Pennsylvania St.

IN ALL SHADES WE HAVE

CHAMBER SETS

To harmonize with the decorations

of the room. Might as well have a thing artistic.

Costs no more. IN VARIOUS PRICES

Such as-\$4.95 8.00 6.45 9.00 10.50

A WINDOW FULL OF SPECIMENS. Dainty Shapes. Different Designs.

-ASTMAN. SCHLEICHER

Headquarters for China and Queenswate.

ART EMPORIUM. Teler hone 53).

REGILDING

No matter how black and dirty those old gold frames upstairs, or in your attie, are, we can regild them AS GOOD AS NEW. And the oidfashioned shapes, oval, etc., are all the style now. We'll do them cheap, too, this dull

THE H. LIEBER COMPANY. 23 South Meridian St.

THE RAILROADS NEXT WEEK.

Board of Review Will Serve Legal Notice-Assessments.

The County Board of Review will take up the taxation of railroad companies next week. All of them have been notified by postal card to appear before the board, but none of them has obeyed the summons. Legal notice will be served upon them. The following corporations were assessed yester-

Country Club...... \$8,150 Duthie-Daggett Tool Com-Dean Bros. Steam Pump Company 65,000 Everitt, seedsman 20,000 Aldug Paint and Varnish 20,000 Indiana Farmer Company. 12,000 12,000 Indiana Baptist Publishing Company Indiana Manufacturing Company 38,000 American Canning Com-J. B. Allfree Manufacturing Atlas engine works..... 280,000 City Ice Company...... 13,800 Clay Shingle Company Gutenberg Company 4,500 Heela Mining Company 200,000 200,000 Home Brewing Company..... 198,000 198,000 Hunt Soap Company 8,000 Hussey & Russell Lumber Company Independent Hair Company. Indiana Coffin Company..... 19,850 Indiana Bermuda Asphalt 1,000 Arthur Jordan Company 42,000 12,500 Keyless Lock Company 5,600 Foster - Bennett Lumber

Company 65,000 68,685 Controller Trusler says from the indications the tax assessment will be reduced this year. If such is the case, he says, it will be necessary for the city to increase the levy or tax the gas mains.

Webster Arrested for Grave Robbing. Last Friday Harry Webster, superintendent of the National Detective Bureau, went to Robinson, Ill., to get additional information in regard to the death of Dr. David Wilson, the hermit and millionaire of Crawford county, Illinois, who died suddenly under suspicious circumstances last February. Wilson's stomach was brought to this city and turned over to Dr. Hurty June 10 for analysis. He has completed the analysis, but the result will not be made public until the beginning of the trial of the wife of Wilson's nephew. A suit for \$10,000 was filed against her by Wilson's brothers, as they thought she was connected with their brother's death. The trial is sat for Sept. 1. Webster arrived in Robinson shortly after noon. The nephew and his attorneys knew that Websier was in town and desired to pay off the old score of Webster's getting Wilson's stomach. While Webster was in the county presecutor's office a deputy sheriff served a warrant against Webster, charging him with grave robbing. The affidavit was sworn out by the nephew and his attorneys. Webster accompanied the deputy to the office of the justice of the peace and said that he was ready for trial on the spot. However, the case was continued until the next morning, Saturday, Webster's bond was fixed at \$500, and a pacullar part of the affair is that the attornevs for the plaintiff, in addition to the county prosecutor, went his surety. Satarday morning the case was further con-

IN TWO LOCALITIES

Strikers Again Troublesome at Whiting and Brazil.

Militia May Be Sent to Latter Point To-Day on Account of the Sheriff's Friendliness to the Rioters.

CLINTON DEPUTIES SCARED

Marshal Hawkins Will Discharge Them for Failing to Move.

Firemen's Officials in a Conference -Gen. Harrison's Telegram to New York Constitutional Convention

Governor Matthews last night ordered two ompanies of State militia to Whiting, a point five miles distant from Hammond. The troops were taken from Adjutant-general Robbins's command at Hammond and transferred to Whiting by electric cars. One hundred men under Colonel Lee were started to that place at 6 o'clock last night. The news from the northern portion of the State up to 5 o'clock last night was of that character that led Governor Matthews to believe the labor troubles almost at an end. A telegram from General Robbins, at 2 o'clock yesterday, announced the situation as quiet and hopeful.

At 5 o'clock another message gave information that there was danger of a riot at Whiting. The Standard Oil works, employing a large number of men, is located at this point, and the Lake Shore and Michigan Central roads pass through the place. Both these roads have been declared under the Debs boycottt, and the large number of employes that left the service of the companies have for some days showed a tendency toward breaking forth that might ensue from the frenzy of a ! and labor unions going on a strike. Officers Governor felt that precautionary measures | seen, and none of them seem to be taking the Adjutant-general to detail a sufficient number of soldiers to Whiting to protect the railroad property. At 6:30 o'clock last night General Robbins wired that he had sent one hundred men to Whiting and the same number to Roby at the request of the Sheriff of Lake county. The Adjutantgeneral, in his report to the Governor, stated that at present peace reigned supreme at Hammond, although a great many threats were being made against the militia. Soldiers, he said, were delivering messages, the regular messengers refusing to act because the strikers threw stones at them. General Robbins said that another attempt had been made to burn the Monon bridge, but had been frustrated by the

With a great degree of disgust and not a little indignation, Governor Matthews, at 1 o'clock yesterday, read a telegram from Brazil to the effect that Sheriff Ringo had donned the white ribbon, the immaculate insignia of the rioter, and had refused to deputize enough men to move the C. & E. I. mail trains. The telegram came from one of the officials of the road, who claimed that the sheriff was in sympathy with the strikers, and asked for assistance. Governor Matthews speedily dispatched a messenger to the telegraph office with instructions to the Brazil sheriff. The officer was posse large enough to move the trains. An

hour later he wired: "I will do my duty as befits an officer." Subsequent advices informed the Governor that the trains had been gotten out of town safely, but not through any effort of the sheriff. A message at 7 o'clock stated that Sheriff Ringo's force, secured after the receipt of the Governor's instructions, consisted of the president and secretary of the American Railway Union and five strikers. There is a feeling in military circles here that troops will be sent to Brazil to-day although such a course may be averted i favorable reports are received from there

this morning. THE DEPUTIES WERE SCARED.

Marshal Hawkins's Men Refuse to Go to Clinton-Reports from Brazil. United States Marshal Hawkins is pretty thoroughly disgusted with the detail of deputies sent to Clinton Tuesday night. Eight of the men are at Terre Haute and the marshal has ordered them back to Indianapolis. It appears that the deputies saw quite enough of rioting on Tuesday night, and after the trains had been moved they set out for Terre Haute. Yesterday they were needed at Clinton again, but refused to go. Isaac Keeley, the deputy in charge, telegraphed Marshal Hawkins yesterday noon that eight of his men declined to go to Clinton through fear. The too cowardly to do their duty to send them home. The weak-kneed officials will arrive to-day and will be relieved of their commissions without ceremony. The marshal had scarcely recovered from

the inglorious tidings from Terre Haute when a long message from deputy Stewart arrived from Whiting. The deputy is there with five men and a lot of restraining orders, but finds that the strikers are not at all awed by the injunction. Deputy Stewart reported that his men had been subjected to the most vilifying language all day, and that the strikers had severely beaten a nonunion brakeman. Stewart's report was followed by a dispatch from the president of the Lake Shore & Michigan Southern road asking for more men. Marshal Hawkins communicated with Governor Matthews and was informed that troops had already been sent to waiting. At 2 o'clock yesterday the marshal was importuned by the officials of the C. & E I. road at Brazil for an additional force of deputies. Deputy Durben, with twenty men, is already at Brazil, and the marshal concluded that with a sufficient quantity of pluck the officials should at least be able to make the attempt to move trains. He wired the manager of the road to that effect, and at 4 o'clock was informed that one of the mail trains had been moved without difficulty. Four deputies were last night sent to Peru to guard the Wabash railway property. The force will be in-creased by ten men detailed from Fort

CONFERENCE OF FIREMEN.

Wayne.

of a revolver.

Chairman Odell Reported to Have Met Sargent Here Yesterday. It was reported from Cincinnati last night that Chairman Odell, of the Big Four grievance committee of the Brotherhood of Locomotive Firemen, had left for this city to hold an important conference with Sargent, the head of the order. Neither of the men could be found at any of the hotels last night, and the local members of the brotherhood had not heard of the It is reported that the arrest of Vice President Harnahan, of the brotherhood, at Chicago, was to be considered, some of the firemen claiming that the arrest had caused an uneasy feeling among the brotherhood.

GENERAL HARRISON'S TELEGRAM. He Did Not Criticise the President, but Approves His Action.

Hanhahan was arrested for jumping into

an engine and practically compelling the

fireman and engineer to quit at the point

General Harrison yesterday received a letter from Mr. James W. Riggs, a memher of the New York constitutional con ention, saying that the criticism imputed to him of President Cleveland's use of federal troops had been disapproved on the acor of the convention, and asking for a correct statement. General Harrison sent the following telegram'

"James W. Riggs, Member of Constitutional Convention, Albany, N. Y .: "Friends should not have expressed criticism of a sentiment imputed to me as disparaging as well to my reputation as a

lawyer as to my patriotism as a citizen, without better evidence that the imputed views were authorized than a newspaper dispatch. I not only did not express any criticism of President Cleveland's action, but I have distinctly and always maintained that it was not only the right but the duty of the President to enforce the laws of the United States everywhere without asking anybody's consent. I acted upon this view of the law when, as a soldier, I marched under the orders of the President into States whose Governors had not only not invited us, but were resisting us. As President I further maintained this view of the President's power and duty; and now, as a private citizen, I hold myself ready, as a part of the posse comita-tus of the country, to aid, upon his call, in the enforcement of that view of the national authority. "BENJAMIN HARRISON."

BIG FOUR GETTING IN SHAPE. Claims to Have All the Men It Needs-

All Trains Moving. So far as the movement of trains is concerned the Big Four is getting into shape again. Yesterday on all divisions passenger trains were moved, in most cases on time. On the St. Louis division, which has given the company the most trouble, places of strikers who had not returned on Tuesday were filled by new men. Delayed freights at Mattoon were moved by 6 o'clock last night and several freights came out of East St. Louis. On the Michigan division all trains were moving, enough of the old men being on hand to handle the business. In the after part of the day word came from Cleveland that the strikers were applying for their old positions. At Cincinnati more business was done yesterday than in any day of the last nine days. The wain records showed that fully two thousand loaded cars were handled on the system, and everything in-dicates that double that number will be handled to-day.

William Garstang, superintendent of motive power, telegraphed from Mattoon that no more new men were needed. A telegram came from Cincinnati last evening stating that the engineers and firemen of the switch engines had asked to be renstated, but as the road claims they have been doing all the mischief they could for several days past it is questionable if any will be taken back. At Cleveland both the striking firemen and switchmen, the company says, are asking to be reinstated. The Vandalia yesterday began to move freights, forwarding west from Indianapolls three trains and bringing in from the west two trains. It expects to-day to handle three times the amount of business it did yesterday.

THE STRIKE HERE IS DEAD.

Gompers Did Not Pass Through This City-Dietator Clark Talks Wildly. There seems to be very little indication well-organized mob in that vicinity, the | of a number of the organizations have been any special interest in the present difficulty. It would be necessary before they could go out for the American Federation to take action and to issue requests to the national organizations of the different trades, and these in turn be transmitted to the individual local unions. As no official communication has been received by any of the unions here, there is no uneasiness felt concerning any orders. The story concerning the visit to the city

of Samuel Gompers, president of the American Federation of Unions, which was so boldly brought forward yesterday morning, was a dashing bit of journalistic enterprise. Mr. Gompers was to have passed through this city, but changed his route. Charles C. Clark, president of the local lodge, A. R. U., chairman of the local strike committee and general strike dictator for this district, was full of information last night, and volunteered much that he seemed to think would make excellent reading matter. He was asked what he thought about the refusal of the Knights of Labor to strike, and declared that the newspapers had been wrongly informed, as he had received word that all the Knights went out wherever they were ordered. "There are over six hundred of them here," said he, "and they are just waiting for me to say the word to leave their work and tie things up.' General Manager Barnard says he discharged Clark from the service of the P. & E. because Clark represented that Le bad been employed on five big systems and was a capable man. Mr. Barnard found that Clark had been employed by none of

SHERIFF EMMETT DENOUNCED. Trying to Make Political Capital Out of Labor Troubles.

There were a number of people in the city yesterday who thought Sheriff Emmett was attempting to make some political capital for himself out of the present labor troubles. For a few days after the strike, when special police and special deputy marshals were being appointed, Sheriff Emmett was apparently doing nothing. This fact was commented upon, and the sheriff appointed a number of deputies, who were not required to go at once into service, but await a call if necessary. It was noticed that the special deputies were mostly Republicans. After the meeting of the old soldiers, a few nights ago, when it was resolved to tender their services to the Governor if necessary to preserve the peace, Sheriff Emmett took the list of names as published in the papers. He set his whole force of deputies to work filling out commissions for these as deputy sheriffs. Each of them was notified to appear at the office and be sworn in as a deputy. There was some vigorous protesting on the part of the men at being thus summoned, and some of them said they would not obey the summons. It was not their intention nor their desire to serve as deputy sheriffs under the command and orders of Sheriff Emmett. Their intention was to express their willingness to go in a body, subject to military tpline, and under the command of the mintary officers of the State, if they were needed. Most of these men were Republicans, and were inclined to believe that the sheriff desired to have his force of special deputies mostly of Republicans in order to make political capital out of it later. For several days he has had a force of about ten ecial deputies in reserve at the These men are mostly Democrats. They are in actual service and will draw pay for the time they serve.

Traffic Resuming Normal Conditions. The Central Association of Railroad Officers issued this bulletin last night:

The business of the lines centering at Indianapolis is rapidly assuming its normal condition. Passenger trains are arriving and departing with customary regularity. The following is a summary showing the situation at Indianapolis on the various roads at 8 o'clock p. m.: C., H. & D.-Everything moving satisfac-

L., N. A. & C.-Both passenger and freight business handled with promptness. L. E. & W.-No interruption in traffic. D. & W.-Business moving as usual. Big Four-A full complement of firemen have been employed on St. Louis division, and freight traffic will be resumed to-morrow at all points, with the exception of perishable freight for Cairo and Cincinnati division. The general situation on all divsions of the Big Four at this point shows a decided improvement. P. & E.-Ail traffic being handled with

dispatch. P., C., C. & St. L .- No disturbance of any kind. I. & V .- All trains running as usual. Vandalia Line-In excellent shape, Belt R. R.-Now running seven ergines, all manned by full crews; business Leavy and being moved promptly without inter-

Grand Army Will Support. The following letter from Department

Commander Marsh to Assistant Adjutant-

general Smock explains itself: "Will you please call upon Governor Matthews to-day, and, as my representa-tive, assure him of my cordial sympathy and support in his courageous and patriotc efforts to maintain the supremacy of law and order in the present emergency. Please say to the Governor that he may confidently rely upon the support of the Grand Army of the Republic, which stands for law and order, in his efforts for the preservation of the peace and tranquillity of the State, and that should the situation seem to render my services desirable I will cheerfully render him any aid in my

For Trial This Morning. The cases of John Buck, James Moriarity and Robert Robuck, charged with contempt of Judge Baker's restraining order, were continued by the court yesterday until this morning. Hiram Agler will also be tried

Superintendent Miller Leaves. General Superintendent Miller, of the Pennsylvania Company, left the city at 3

o'clock yesterday afternoon for Richmond He will go from there to Chicago. His departure has no significance so far as the local situation is concerned. He came to this city at the beginning of the trouble for the reason that it was the most advantageous point at which he could hear from

all points on the system. Will Not Involve the Federation. Sovereign's order calling out the Knights of Labor had no effect whatever in this city, as there is not even a handful of members here. T. M. Gruelle has a letter from Gompers, the head of the Federated Trades, in which he says that the struggle will not, under any circumstances, involve the Federated Trades.

A Monon Striker Arrested. Deputy United States Marshal Wilson on duty with a force of men at Monon. yesterday evening arrested J. T. Murry on the contempt charge. Murry is striking Monon brakeman and was found trespassing on the company's property. He was brought here at 3 o'clock this morning and placed in jall.

Another Anonymous Letter. Superintendent Darlington, of the Pennsylvania Company, has received another anonymous letter, in which he is warned that numerous threats have been made

Kingan & Co. Lay Off Men. Kingan & Co., pork packers, laid off a large portion of their force yesterday, as they were unable to ship their consignments

THEY ALL WORE FLAGS

GOVERNOR MATTHEWS'S LEVEE FOR THE ILLINOIS Y. P. S. C. E.

Endeavorers En Route to Cleveland-Governor Complimented on His Attitude on the Strike.

The local union of the Y. P. S. C. E. gave a reception last evening in the Governor's parlors at the Statehouse to the members of the Illinois delegation which came to this city en route to the national convention at Cleveland. The president of the local union, Woodburn Masson, with Governor and Mrs. Matthews, Mrs. Ewing of Greensburg, the Governor's daughter, and Miss McMechan, and the reception committee, consisting of Mr. Kenneth Reid, chairman; Dr. Heath, George Hyatt, E. D. Bishop, E. L. Selvage, Miss Alice Taylor, Miss Martha Allen, Miss Runyon, Miss Lillian Ague, J. W. Selvage and Harry Mc-Clellan, welcomed the guests. The delegates were from nearly all parts of Illinois, Chicago excepted. A large number of the delegates have gone to Cleveland, but the attendance will be only about one-fifth of what was expected, on account of the

Among those with the Illinois delegation were Mr. O. W. Stewart, general secretary for Illinois; Miss Patterson, of Chicago, church missionary and superintendent of the Christian Endeavor; Mrs. O. W. Stewart, editor of the Y. P. S. C. E. paper; Charles S. Medbury, president of the Peoria district; L. E. Flannegan, secretary of the Galesburg district; Mr. E. C. Troyer, of Galesburg, and Howard Burr, president of the Murphysborough district of southern Illinois. There were about one hundred in

the delegation. At 9 o'clock Governor Matthews was introduced and made a short speech of welcome. He said he was a humane man and would not detain them long on such a warm evening. The speaker said he admired his Illinois neighbors for their great work as American citizens, and that he was glad to see the members wearing the flag as an emblem, for it denoted good citizenship. He bade the members welcome, and he hoped that the visitors would be so favorably impressed that they would induce the Y. P. S. C. E. to meet here some time. This remark was received with much

"We regret," he said, "that the conditions of travel are what they are. It was not the intent of the one under whose leadership you are moving that there should be aught but harmony. I am not a member of the society, but I have been impressed with the magnitude and magnificence of its

Mr. Stewart, of the Illinois delegation was called upon, and made a very happy speech. He, too, said that he hoped the meeting would be held in this city some time, and he had heard talk of it outside of the State. He referred to the lack of attendance at Cleveland, the cause of which was "three strikes and out," but he hoped that those who went would make a home run. He also paid a compliment to the Governor in regard to his management of the present state of affairs. The remarks of the Governor and Mr. Stewart were received with applause. The short exercises were closed with singing "Blest Be the Tie That Binds" (one verse) and saying the Y. P. S. C. E. benediction. The delegation left last night on a special train for Cleve-

There were many Indiana Y. P. S. C. E.'s and their friends at the Union Station yesterday morning. Shirt waists and telescopes seemed to be the distinguishing marks of these travelers. Few trunks will make the trip, as owners know that they will be more than likely to leave a trunk at this end of the line and never see it again till after their arrival home, if ever, when going to a place where there is to be so much baggage. Among those who went at 11 o'clock from this city were Rev. M. L. Haines, Miss Wishard, State secretary; Miss McKenna, Mr. and Mrs. F. A. Mc Bride, Misses Mayo, Miss Josephine Herron, Judge Kirkpatrick of Kokomo, State president; Miss Snyder, Miss Clough, Miss Brown, Rev. W. H. Vogler of Bartholomew county, Miss Agnes Cochrane, Mr. Edward Clark, Mr. J. A. Allisen, Mr. H. L. White-head, Mr. and Mrs. Buchanan, Mr. Percy Landor, Rev. Knox, Francis Murphy, Rev. D. G. Putnam of Logansport, Miss McCrea of Brazil, Miss Maud Hickman, Miss Frances Hammond, Miss Kortpeter, Rev. and Mrs. R. V. Hunter of Terre Haute, Miss Sue Christie, Miss Garnet Ashbrook, Miss Adelaide Carman, Mr. C. W. Mann, Dr. and Mrs. A. J. Clark.

Poked His Head Out the Trench. A. J. Clark, employed by the Consumers' Gas Company, was seriously injured while working in a trench on West New York street yesterday morning. He was engaged in tunneling under the street-car tracks near Military Park, and as a car passed over the opening Clark raised his head. The running board of the street car struck him in the forehead, knocking him unconscious. He was picked up in that condition and removed to his home, No. 44 Clark street. He afterwards regained con-

Tommy Miller Insane.

It is reported that Tommy Miller, the local pugilist, who was recently knocked out in a fight, has gone insane as the result of injuries received at the hands of Jimmy Carney, the Detroit light-weight, Miller has been confined in the Aultman Hospital at Canton since the fight. His sister went to Canton yesterday to take him to the family home, in Peoria, Ill.

Bermudez Company's Plant. The plant of the Bermudez Asphalt Company will be ready for operation about Aug. 1. The melting kettles and sand drums are ready and the foundations for them have been completed. The first consignment of asphalt will be shipped from Amboy, N. J., within a few days.

Articles of Incorporation. The following articles of incorporation were yesterday issued at the office of Secretary of State: Tippecanoe Building and Loan Association, Monticello, capital stock, \$200,000; De Heur & Swain Lumber Company, Seymour, capital stock, \$25,000; Shelcon-Foster Glass Company, Gas City,

capital stock, \$40,000. Struck by an Electric Car. Mrs. Mary Shepherd, residing at No. 80 West Washington street, was struck by an electric street car at West and Washington streets, yesterday morning, and painfully injured. Her face, hands and hips

World's Fair Highest Award. Insure your home in the Glens Falls.

Dr. Price's Cream Baking Powder

were badly bruised.

BELONGS TO THE CLUB

DECISION IN COMMERCIAL CLUB EN-CAMPMENT BALANCE CASE.

Money Is for Assemblage Purposes-Mr. Fortune Must, However, Refund the \$5,000 Paid Him.

Special Judge Rupe, of Richmond, yester-

day handed down his decision in the suit

of the city against the Commercial Club to

recover the balance of the appropriation

for the G. A. R. encampment. He holds that the city is not entitled to the funds, but that in making the appropriation it relinquished all claim to the money and it became a trust fund in the hands of the club for the purposes for which it was appropriated, and is to remain in the hands of the club to be used for the purpose of bringing assemblages to the city. As to Messrs. Fortune and Lilly the demurrer to the complaint is overruled, thus holding them responsible for the \$5,000 given to Mr. Fortune for his services, and this amount will have to be repaid to the club by them. Judge Rupe said the questions to be determined in the case were, first, what are the character of the funds paid to the Commercial Club under three subscriptions. Are they trust funds for the payment of encampment expenses or are they the property of the club and only trust funds in the sense that they shall be applied to the general work of the committee on assemblages? Second, was the payment of \$5,000 to Mr. Fortune such a misapplication of the funds as would enable the plaintiff to recover the amount and require an accounting in this action. The subscribers had a right in their contract for subscriptions to say that the fund should be used in paying the expenses of the encampment. He held that as to a trust created by the subscribers, the court could not look beyond the contract. On the first subscription contract he held that the subscriber paid it to the assemblage committee to be used by it in its general work. The amount thus subscribed was \$361, and the court held that this became the property of the club to be used by the committee without restriction. He holds the second subscription contract, under which \$22, 396.22 was paid to the club, to be the same

This was subscribed for the express purpose of paying the expenses of the encampment. These expenses were paid to the amount of \$30,752, and this is held to have entirely exhausted the funds paid under the third subscription contract. It would also require the sum of \$10,757 to be applied from the funds raised under the first and second subscription contracts The court held that it was compelled to presume that the third fund was exhausted and the \$12,000 now in the hands of the club was a part of the money raised under the first and second subscription con tracts. Under this holding it is held that the funds were the property of the assem blage committee to be used for its general purposes. He held the point raised by City Attorney Scott that the purposes of the club as set forth in its charter did not warrant the position that the funds must necessarily be a trust fund in the hands of the club for the benefit of the city. He said the Commercial Club was not organ ized for the purpose of promoting the manufacturing, commercial and general welfare of the city, because, as a city, it had no such interests. "The city of Indianapolis," continues the

in legal effect. The \$12,000 now in the hands of the assemblage committee is held

to be a part of the money paid under the

first two subscription contracts. Under the

third subscription \$19,995 was paid to the

opinion, "aside from her corporate capacity and regarded as a community, has large commercial, manufacturing and business interests, and the object of the organization and incorporation of the Commercia Club is manifestly for the advancement of these interests and without any reference to the city of Indianapolis as a municipal corporation-which is the capacity in which it appears here. The city of Indianapolis as here in court, has no interest whatever the property or funds of the Commercial Club, and they are, therefore, not held for the benefit of the city. These funds are not trust funds, except as has been here

As to the purpose of the Council that the funds should only be applied if needed and when needed, he held that the pro-visions of the ordinance must govern. The representations of Messrs. Fortune and Lilly cannot be considered. FORTUNE MUST REFUND.

Upon the question of the donation of the \$5,000 to Mr. Fortune the court says: "The defendant Fortune had no legal claim or demand upon the organization for these funds for payment. The defendant Lilly had no authority to make a donation to any officer of the organization All the services rendered by Mr. Fortune prior to citizens' organization were rendered as secretary of the Commercial Club, and duties of the citizens' organization is as follows: " 'No indebtedness for any purpose shall

be incurred or will be paid without a requisition having been first obtained from th executive director "This requires that payment should have been authorized before the services rendered. Mr. Fortune necessarily drew the warrant upon the treasury himself for the amount of the \$5,000 paid him, the war-rant being approved by Mr. Lilly as chairman. Before the defendant Fortune could have had any claim against these funds on account of services it would have been necessary that his employment should have been authorized by himself as executive director in advance of the services ren-dered, and the money received by him must have been paid upon his own warrant drawn upon the funds, approved by the chairman. Defendants Lilly and Fortune should be required to account in this action for the \$5,000. The Commercial Club of the \$5,000. As to the \$12,000 remaining in the hands of the club, I am unable to see upon the facts stated in the bill any reason why it should be disturbed. The demurrer of the Commercial Club will therefore be sustained.' The demurrer is sustained as to the defendants, John W. Murphy and other members of the encampment committee. Messrs. Fortune and Lilly can now file a general denial and go to trial upon the merits of the case or file a special answer. If the latter is done a demurrer to the answer will probably be filed, and this will be argued before the court. The effect of the ruling is that, admitting the facts in the complaint to be true, Messrs. Fortune and Lilly must return the \$5,000.

TWO BUILDINGS CONDEMNED.

Board of Works Affairs-Asphalt and Cement Resolutions. Upon the recommendation of the building inspector the Board of Works yesterday condemned the buildings at 50 and 52 Michigan avenue and 545 East Washington

street. Both buildings are owned by the

Connecticut Mutual Life Insurance Com-A petition for asphalting New York street, from Agnes to Blake street, was granted. A resolution for cementing the south

sidewalk of Ninth street, from College to

Cornell avenue, was adopted. The city engineer was directed to pre pare the papers for cementing the side walks of Talbott avenue, from Seventh to Fourteenth street. He was also directed to prepare the necessary papers and plat for opening First street, from Locke street west to the city limits. Bids for a main sewer in East street from South to McCarty street, wer opened and the contract awarded to Gans berg & Roney at \$2.14 per lineal foot. Th other bids were: Fulmer-Seibert Company \$2.60; A. Bruner, \$2.25; W. C. Allen & Co \$2.17; Acme Paving and Contracting Com

Again Jogging Up Contractors.

The Board of Public Works has again is sued notice to the various sewer contrac tors that in the future they will be re quired to restore a street to proper condi tion after the completion of the sewer i it. The city engineer has been instructed not to receive the work from the contractors until this is done, and if they persist in leaving the streets in bad condition their bids, when submitted, may be hung up. It is likely that some of the sewer contractors will find it difficult to secure contracts if they do not obey the notice. They are also ordered not to obstruct the sidewalks any more than is necessary, and not to destroy shade trees where it can be avoided. They will not be permitted to dig up more than two blocks of a street at a time. The cement walk contractors were also notified that where a contract calls for sidewalks on each side of the street but one side is to be torn up at a time and this for a distance of not to exceed two blocks at a time. They were also ordered

to remove all rubbish from the street as soon as the work is completed and not to pile material upon lawns where it can be

DEAD ON THE CHURCH STEPS.

Mrs. Clara Bysee Worried Because Her Son Belonged to the Militia.

Mrs. Clara Bysec, janitress of the colored church at North Indianapolis, died suddenly Tuesday night, while sitting on the steps of the church. She lighted the lamps for prayer meeting and sat down on the steps and talked with a woman, a neighbor. The woman went away for a few moments, and on returning found Mrs. Bysee lying on the steps dead. No one had discovered her in the meanwhile. Mrs. Bysee was a widow, and lived with her two sons on Chicago street. Several weeks ago one of her sons joined the militia, and last Tuesday night came to the city to drill. She was ery much worried lest he should be sent to the scenes of strike trouble, and Coroner Beck thinks that this, together with heart failure, caused her death. She was fifty-four years old.

POSTOFFICE RECEIPTS FALL OFF.

Mail Handled Increased, However, During Last Quarter of 1894.

Postmaster Sahm has completed the record of business for the Indianapolis postoffice for the fourth quarter of the fiscal year just closed. In the money order department the following summary shows a comparison of the business for 1893 and 1894: Paid, 1893, \$405,686.51; issued, \$418,707.29; paid, 1894, \$398,969.83; issued, 1894, \$409.798.36. The amount received on postal account, including \$345.50 rental on boxes, was \$78,-935.42. Last year, for the same quarter, the postal receipts were \$80,118.55. The number of mail pieces handled has increased 720,590. The postmaster attributes this increase to the business depression, which, he thinks, impelled firms to transact much of their business through the medium of circular letters.

A Supervisor from London. Charles Martindale, president of the School Board, received a cablegram from Miss Frances Wilkinson, of London, yesterday morning, stating that she would accept the appointment of supervisor of music in the public schools of this city.

The Wawasee Regatta. The regatta at Lake Wawasee has been postponed. The second yacht race will take place on Tuesday, July 31, and the third on Tuesday, Aug. 4.

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